

REMARKS

Upon entry of the present amendment, claims 1-6, 8-11, 13-18, 20-33 and 35-38 will be pending in this application. Claim 12 is hereby cancelled. Claims 7, 19 and 34 were previously cancelled. Applicant submits that no new matter has been added by the present amendment.

In the outstanding Office Action, claim 12 stands rejected under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter. Claims 1-3, 9-11, 22-23, 25-30 and 36-37 stand rejected under 35 U.S.C. § 103(a) as allegedly anticipated by U.S. Patent No. 6,087,937 (McCarthy) in view of U.S. Patent No. 6,011,473 (Klein). Claims 4-6, 8, 31-33 and 35 stand rejected under 35 U.S.C. § 103(a) for being unpatentable over McCarthy in view of Klein and in view of U.S. Patent No. 5,966,081 (Chesnutt). Claim 24 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over McCarthy in view of Klein and in view of U.S. Patent No. 6,433,685 (Struble). Claims 13-18, 20-21 and 38 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 7,034,659 (Ungs) in view of Klein. Applicant respectfully traverses all outstanding rejections.

Interview Summary

Applicant's undersigned representative, Mr. Eiferman, and Examiner Nam Nguyen participated in a telephonic interview on March 6, 2007 to generally discuss the independent claims in relation to the cited references. No agreement was reached.

Claim Rejections Under 35 U.S.C. § 101

Claim 12 stands rejected under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter. Claim 12 is hereby cancelled. Accordingly, reconsideration and withdrawal of the 35 U.S.C. § 101 rejections are respectfully requested.

Claim Rejections Under 35 U.S.C. § 103

1. Claims 1-3, 9-11, 22-23, 25-30 and 36-37 stand rejected under 35 U.S.C. § 103(a) as allegedly anticipated by U.S. Patent No. 6,087,937 (McCarthy) in view of U.S. Patent No. 6,011,473 (Klein). Applicant respectfully traverses.

Independent claims 1, 22, 28 and 37 recite that, in response to receiving a disabling signal, the device transmits TCP/IP routing information corresponding to the device. Thus, independent claims 1, 22, 28 and 37 do *not* merely recite transmitting location information. Rather independent claims 1, 22, 28 and 37 recite transmitting a specific type of location information, namely, TCP/IP routing information.

McCarthy does not teach or suggest transmitting any type of location information from a device.

Klein discloses that a device may obtain GPS positioning information corresponding to its location and then transmit the obtained GPS positioning information (Klein, Fig. 4, steps 414 and 416). However, Klein clearly does not teach or suggest that the device transmits TCP/IP routing information.

Thus, none of the cited references teach or suggest transmitting TCP/IP routing information in response to a disabling signal. In fact, none of the cited references even mention TCP/IP routing information. Given that none of the cited references even mention TCP/IP routing information, Applicant fails to understand how the cited references, even in combination, can possibly support even a *prima facie* case for obviousness. Moreover, given the imprecise nature of TCP/IP routing information, Applicant further submits that transmitting TCP/IP routing information as a technique to identify a lost device would not be an obvious technique. If the Examiner believes that transmitting TCP/IP routing information in response to a disabling signal is a known technique, then the Examiner is encouraged to cite even a single reference that teaches or suggests this technique.

Accordingly, the cited references do not teach or suggest “in response to receiving the disabling signal, transmitting from the device TCP/IP routing information corresponding to the device,” as recited in independent claim 1 (and similar language from independent claims 22, 28 and 37). Thus, Applicant respectfully submits that independent claims 1, 22, 28 and

37 are patentable over the cited references. Applicant further submits that claims 2-3, 9-12, 23-23, 25-27, 29, 30 and 36 are patentable at least by reason of their dependency.

2. Claims 4-6, 8, 31-33 and 35 stand rejected under 35 U.S.C. § 103(a) for being unpatentable over McCarthy in view of Klein and in view of U.S. Patent No. 5,966,081 (Chesnutt). Applicant respectfully traverses and submits claims 4-6, 8, 31-33 and 35 are patentable at least by reason of their dependency.

3. Claim 24 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over McCarthy in view of Klein and in view of U.S. Patent No. 6,433,685 (Struble). Applicant respectfully traverses and submits claim 24 is patentable at least by reason of its dependency.

4. Claims 13-18, 20-21 and 38 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 7,034,659 (Ungs) in view of Klein. Applicant respectfully traverses.

Ungs also fails to teach or suggest “in response to the timeout condition, transmitting from the device TCP/IP routing information corresponding to the device,” as recited in independent claims 13 and 38. Thus, Applicant respectfully submits that independent claims 13 and 38 are patentable over the cited references. Applicant further submits that claims 14-18, 20 and 21 are patentable at least by reason of their dependency. Accordingly, reconsideration and withdrawal of the 35 U.S.C. § 103 rejections are respectfully requested.

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PATENT

CONCLUSION

In view of the above amendments and remarks, Applicant respectfully submits that the present application is in condition for allowance. Reconsideration of the application is respectfully requested.

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